

DEPARTMENT OF EDUCATION SPECIAL EDUCATION PROGRAMS

Northwestern Area School District Continuous Improvement Monitoring Process Report 2006-2007

Team Members: Chris Sargent, Linda Shirley, Education Specialists and Cindy Kirshman, Transition Liaison

Dates of On Site Visit: November 8, 2006

Date of Report: December 5, 2006

This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
Meets Requirements	The district/agency consistently meets this requirement.
Needs Assistance	The district/agency consistently does not meet this requirement and is out of compliance.
Needs Intervention	The district/agency consistently does not meet this requirement and is out of compliance.
Not applicable	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision

General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data sources used:

- A – General District Information
- C – Suspension and Expulsion Information
- H – Exiting Information
- Surveys

- Private school information
- Comprehensive plan
- Comprehensive system of personnel development plan
- Screening

Meets requirements

The steering committee concluded the Northwestern Area School District has an ongoing child find system to locate, identify and evaluate children with disabilities ages birth through 21 years of age. Pre-referral and referral systems are in place to ensure students are identified without unnecessary delay. If a child with disabilities is referred or placed in a private school or facility by the district, the comprehensive plan addresses the school's responsibility in accordance with Individuals with Disabilities Act (IDEA).

The district uses data-based decision-making procedures to review and analyze data to determine if the district is making progress toward the state's performance goals and indicators. The district analyzes data and revises policies if significant discrepancies are found between the long-term suspension and expulsion rates for children with and without disabilities.

The district ensures that an adequate supply of personnel are employed and are properly supervised, fully licensed and certified to work with children with disabilities. The district implements procedures to determine personnel development needs and takes appropriate action to meet those identified needs.

Validation Results

Promising Practice

The Northwestern Area School District has been utilizing the Davis Learning Strategies (DLS) for dyslexia since 2001. All general educators and paraprofessionals in kindergarten through 4th grade receive training to implement the strategies. DLS shows children different skills they can utilize to focus properly in the classroom. These include breathing techniques, using koosh balls for cross orientation, balancing skills to better focus, as well as specific reading tactics such as, "Sweep, sweep, spell" and the use of clay to form letters and figures for symbol mastery.

The Northwestern Area School District is the first district in the nation to receive the "Davis Learning Strategies School Award" for program implementation and mentorship provided.

Meets requirements

The monitoring team agrees with all areas identified as meeting requirements under general supervision as concluded by the steering committee.

Out of Compliance: Needs Assistance

ARSD 24:05:17:03. Annual report of children served. In its annual report of children served, the division shall indicate the following:

(1) The number of children with disabilities receiving special education and related services on December 1 of that school year.

The monitoring team was unable to validate an IEP was in effect on December 1st, 2005 for 2 students who were listed on the district's 2005 child count.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data sources used:

- C – Suspension and Expulsion Information
- I – Age Placement Alternative Data
- K – Early Intervention (Part C) Exit Information
- Comprehensive Plan

Meets requirements

The steering committee concluded the Northwestern Area School District provides a free appropriate public education (FAPE) to all eligible children with disabilities. The district has policies and procedures in place to ensure that students suspended or expelled for more than ten day will be provided FAPE.

Validation Results

Meets requirements

The monitoring team agrees with all areas identified as meeting requirements under free appropriate public education as concluded by the steering committee.

Principle 3 – Appropriate Evaluation

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data sources used:

- A – General District Information
- Student File Reviews
- Surveys
- Comprehensive Plan

Meets requirements

The steering committee concluded the Northwestern Area School District provide written notice and obtains informed consent before assessments are administered to a child as part of an evaluation or reevaluation with the exception noted under needs improvement. Evaluation or reevaluation procedures and instruments meet the minimum requirements with the exceptions noted under needs improvement and out of compliance.

The district ensures the proper identification of students with disabilities through the evaluation process.

Reevaluations are conducted in accordance with all procedural requirements to ensure students are appropriately evaluated for continued eligibility with the exception of getting parent input into the evaluation process.

Needs improvement

The steering committee concluded the district needs to consistently acquire parent consent for re-evaluation for students placed in or out of district and document parent input into the evaluation process. Functional assessment needs to be consistently document in the written report.

Out of compliance

The steering committee concluded transition evaluations were conducted for students prior to turning age 16; however, no report was written and student IEPs did not consistently reflect services needed by the student.

Validation Results

Meets requirements

The monitoring team agrees with all areas identified as meeting requirements under appropriate evaluation as concluded by the steering committee. Through a review of student records the team concluded that the district is acquiring parent consent for reevaluation, functional assessment is documented in the evaluation report and transition evaluations/reports are present for students 16 years old. These areas now meet requirements.

Out of Compliance: Needs Assistance

ARSD 24:05:25:04.02. Determination of needed evaluation data. As part of an initial evaluation, if appropriate, the individual education program team required by § 24:05:27:01.01 and other individuals with knowledge and skills necessary to interpret evaluation data, determine whether the child has a disability, and determine whether the child needs special education and related services, as appropriate, shall:

- (1) Review existing evaluation data on the child, including:

- (a) Evaluations and information provided by the parents of the child;
 - (b) Current classroom-based assessments and observations; and
 - (c) Observations by teachers and related services providers; and
- (2) Based on the above review and input from the student's parents, identify what additional data, if any, are needed to determine:
- (a) Whether the student has a particular category of disability as described in this article;
 - (b) The present levels of performance and educational needs of the student; and
 - (c) Whether the student needs special education and related services.

Through interview and a review of student record, there was no evidence that parent input was obtained for three students as part of the evaluation procedures.

ARSD 24:05:25:06. Reevaluations. Reevaluations shall be conducted at least every three years or if conditions warrant or if the child's parent or teacher requests an evaluation. Reevaluations must be completed within 25 school days after receipt by the district of signed consent to reevaluate unless other time limits are agreed to by the school administration and the parents.

ARSD 24:05:25:03. Preplacement evaluation. Before any action is taken concerning the initial placement of a child with disabilities in a special education program, a full and individual evaluation of the child's educational needs must be conducted in accordance with the requirements of this chapter. Evaluations must be completed within 25 school days after receipt by the district of signed parent consent to evaluate unless other timelines are agreed to by the school administration and the parents. Consent for initial evaluation may not be construed as consent for initial placement.

Through a review of student records the 25 school day reevaluation timeline was exceeded for two students. Consent was received on 9-1-06 and the observation was conducted on 10-19-06. Consent was received on 1-26-06 for another student and the observation was conducted on 3-13-06

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Data sources used:

- L – Complaints
- M – Hearings
- Comprehensive plan

- Parental rights document
- Consent and prior notice forms
- Family Education Right and Privacy Act (FERPA) disclosure

Meets requirements

The steering committee concluded the Northwestern Area School District ensures parents are informed of their parental rights in their native language of all information relevant to the activity for which consent is sought.

The district provides parents of children in need of special education or special education and related services with the opportunity to inspect and review all educational records concerning the identification, evaluation and educational placement of the child and the provision of FAPE. While the Northwestern Area School District has not had a complaint or due process hearing request filed within the past 5 years, policies and procedures are in place for responding to such action if necessary.

Validation Results

Meets requirements

The monitoring team agrees with all areas identified as meeting requirements under procedural safeguards as concluded by the steering committee.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- Early Intervention (Part C) Exit Information
- Comprehensive plan
- Student file reviews

Meets requirements

The steering committee concluded the Northwestern Area School District provides written notice for all IEP meetings, includes all content and the IEP team is comprised of appropriate team membership with the exception noted below. The district ensures an appropriate IEP is developed and in effect for each eligible student.

Needs improvement

The steering committee concluded the IEP team must always include the attendance of a general education teacher. Modifications must be specifically

document the frequency, location and duration of service. A written statement of accommodations to be used on the Dakota STEP state test needs to be included in the IEPs. The beginning and ending date for extended school year services needs to be consistently documented.

Transfer of rights must occur one year prior to a student turning 16 years old and graduation requirements need to be addressed in the IEP one year prior to the students anticipated graduation date. The district needs to improve transition plans for students to ensure they represent a coordinated set of activities, reflecting student strengths and interests, to prepare them for post school activities.

Out of compliance

The steering committee concluded school-aged students receiving special education services such as reading, math, behavior and transition did not contain the required content in the present levels of performance. The present levels did not consistently link to functional evaluation.

Parent input into evaluation was not documented and annual goals and/or objectives did not link to the present levels of performance. Behavioral needs of students are not consistently addressed in the IEPs for students with behavior issues.

Validation Results

Meets requirements

The monitoring team agrees with all areas identified as meeting requirements under individual education program as concluded by the steering committee. Areas identified as in need of improvement that the team validated as meeting requirements are specific modifications were documented for each student including those needed for the purpose of assessment. Transition plans represented a coordinated set of activities, students were informed of the transfer of rights and graduation requirements were specified in student IEPs. Annual goals were linked to the present levels of academic achievement and functional performance which was linked to functional assessment.

Out of Compliance: Needs Assistance

ARSD 24:05:27:01.01. IEP team. Each school district shall ensure that the IEP team for each student with disabilities include the following members:

(2) At least one regular education teacher of the student if the student is, or may be, participating in the regular education environment;

Through interview and a review of student records, a general education teacher was not present at the annual review meeting for three students.

ARSD 24:05:25:26 Extended school year authorized. The district shall provide special education or special education and related services to eligible children if the

IEP team determines on an individual basis that such services are necessary for the provision of FAPE.

An IEP pursuant to chapter 24:05:27 shall be developed by the IEP team and implemented with informed parental consent. The IEP team shall determine the length of the school day and duration of extended school year services based on the individual child's needs.

Through interview and a review of student records, the duration of extended school year services based upon the individual child's needs was not documented for two students. For another student the need for extended school year services was checked "to be determined by" a specified date. There was no indication the team met to determine the need for the services.

ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized program shall include:

(1) A statement of the student's present levels of educational performance, including:

(a) How the student's disability affects the student's involvement and progress in the general curriculum (i.e., the same curriculum as for nondisabled students); or

(b) For preschool student, as appropriate, how the disability affects the student's participation in appropriate activities.

Through interview and review of student records, a statement of how the student's disability affected their involvement and progress in the general curriculum was not included in the present levels of academic achievement and functional performance for four students.

ARSD 24:05:27:01.02. Development, review, and revision of individualized education program. In developing, reviewing, and revising each student's individualized education program, the team shall consider the strengths of the student and the concerns of the parents for enhancing the education of their student, the results of the initial or most recent evaluation of the student, and as appropriate, the results of the student's performance on any general state or district-wide assessment programs. The individualized education program team also shall:

(1) In the case of a student whose behavior impedes his or her learning or that of others, consider, if appropriate, strategies, including positive behavioral interventions, strategies, and supports, to address that behavior;

Through a review of student records, behavior concerns were addressed through the evaluation process, present levels of academic achievement and functional performance and IEP goals for a student. When considering if the student's behavior impeded learning or that of others, the IEP stated it did not. Another student had a history of behavior concerns noted through previous evaluations and IEPs. The most recent three year reevaluation included behavior assessments; however, the current IEP did not contain any information regarding the status of

the student's behavior. When considering if the student's behavior impeded learning or that of others, the IEP stated it did not.

ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:

(4) An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in activities described in this section;

Through a review of student records the justification for placement did not consistently identify the acceptance or rejection of the team's placement decision. The information included in the justification for three students restated present levels of performance rather than providing an explanation why the student could not receive their instruction with nondisabled students in the regular classroom. For example, "attending to task for complete communication, reading comprehension with assistance in vocabulary and details, locating information for easy identification of appropriate answers."

Principle 6 – Least Restrictive Environment

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- Student File Reviews
- Comprehensive Plan

Meets requirements

The steering committee concluded the Northwestern Area School District ensures all eligible students receive services in the least restrictive environment with the supports they need for successful participation.

Validation Results

Meets Requirement

The monitoring team agrees with all areas identified as meeting requirements under least restrictive environment as concluded by the steering committee.